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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/994,469	11/26/2001	Albert Zur	U013733-6	7227
140	7590	03/01/2004	EXAMINER	
LADAS & PARRY 26 WEST 61ST STREET NEW YORK, NY 10023			SONG, HOON K	
			ART UNIT	PAPER NUMBER
			2882	

DATE MAILED: 03/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/994,469

Applicant(s)

ZUR ET AL.

Examiner

Hoon Song

Art Unit

2882

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 7-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 7, 8, 10 and 11 is/are rejected.
- 7) ☒ Claim(s) 9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 November 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Drawings

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the "motorized means" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Objections

Claim 9 is objected to because of the following informalities:

Claim 9 recites the limitation "the status" in line 2. There is insufficient antecedent basis for this limitation in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 7-8 and 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Matsumoto (US 6434218B1).

Regarding claim 1, Matsumoto teaches a bucky device comprising (figure 22):

an X-ray image detector (27);

an anti-scatter grid (26)

a first chamber disposed to house the grid in an active position in which the grid is positioned upstream of the X-ray image detector in respect to x-ray impingement; and

a second chamber disposed to house the grid in a storage position in which the grid is positioned downstream of the X-ray image detector in respect to x-ray impingement (figure 22 and 23).

However, Matsumoto fails to teach that the grid is removably mounted onto an peripheral frame.

Leighley teaches a grid (14) which is removably mounted on a peripheral frame (20) (figure 2).

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a grid of Matsumoto with the removable grid as taught by Leighley, since the removable grid would provide one to replace the grid when there is a defect.

Regarding claim 2, Matsumoto teaches a source of X-ray radiation (21).

Regarding claim 3, Matsumoto teaches that the X-ray image detector is a digital X-ray image detector (27).

Regarding claim 4, Matsumoto teaches that the bucky device also comprises an automatic exposure control device (column 2 line 46+).

Regarding claim 7, Matsumoto teaches that the extractable frame comprises at least one handle (26a).

Regarding claim 8, Matsumoto teaches automatic means to facilitate grid extraction, insertion and positioning.

However Matsumoto fails to teach that the automatic means is motorized.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to adapt a motor to make an automatic system, since the motor would make a system rigid and cheap.

Regarding claim 10, Matsumoto teaches an X-ray method comprising:

providing a digital bucky including an image detection module and an anti-scatter grid, wherein the anti-scatter grid has an active position upstream of the image detection module with respect to X-ray impingement and a storage position downstream of the image detection module with respect to X-ray impingement;

performing at least one X-ray imaging procedure which employs the anti-scatter grid and at least one X-ray imaging procedure which does not employ the anti-scatter grid; and

between the procedures, disposing the anti-scatter grid from a first position from among its the active and storage positions, to a second position from among its the active and storage positions.

However Matsumoto fails to teach that the grid is removably mounted onto a peripheral frame.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a grid of Matsumoto with the removable grid as taught by Leighley, since the removable grid would provide one to replace the grid when there is a defect.

Regarding claim 11, Matsumoto teaches that the step of disposing the anti-scatter-grid comprises partially or fully automatically disposing.

However Matsumoto fails to teach that the automatic movement is motorized.

It would have been obvious to an artisan of ordinary skill in the art at the time the invention was made to adapt a motor to make an automatic system, since the motor would make cheap and rigid system.

Response to Arguments

Applicant's arguments filed on November 10, 2003 have been fully considered but they are not persuasive.

In response to applicant's argument that Matsumoto fails to teach a grid is removably mounted onto an frame. Since Leighley teaches a removable grid, It would have been obvious to one of ordinary skill in the art at the time of the invention to provide a grid of Matsumoto with the removable grid as taught by Leighley, since the removable grid would provide one to replace the grid when there is a defect.

Allowable Subject Matter

Claim 9 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 9, the prior art fails to teach visible lights indicating a status of the anti-scatter grid.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hoon Song whose telephone number is (571) 272-2494. The examiner can normally be reached on 8:30 AM - 5 PM, Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Glick can be reached on (571) 272 - 2490. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

HKS

2/3/04
HKS



DAVID V. BRUCE
PRIMARY EXAMINER